

# United States District Court

## DISTRICT OF DELAWARE

ABBOTT DIABETES CARE, INC.,

Plaintiff,

v.

DEXCOM, INC.,

## SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-590

Defendants.

TO: DEXCOM, INC  
c/o The Corporation Trust Company  
1209 Orange Street  
Wilmington, DE 19801

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY:

Mary B. Graham (#2256)  
James W. Parrett, Jr. (#4292)  
Morris, Nichols, Arsht & Tunnell  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 658-9200

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

*8/11/05*

CLERK

DATE

*E.L. Streckler*  
BY DEPUTY CLERK

## RETURN OF SERVICE

|  |           |                 |
|--|-----------|-----------------|
| Service of the Summons and amended complaint was made by me <sup>1</sup>   | DATE      | August 11, 2005 |
| NAME OF SERVER (PRINT)   | TITLE     |                 |
| Christopher Scargill   | Messenger |                 |
| Check one box below to indicate appropriate method of service  |           |                 |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: _____   |           |                 |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein. Name of person with whom the summons and complaint were left: _____                                  |           |                 |
| <input type="checkbox"/> Returned unexecuted: _____  |           |                 |
| <input checked="" type="checkbox"/> Other (specify): <u>Service of the Summons and Complaint was made upon defendant DexCom, Inc. by delivering copies thereof to defendant's registered agent, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801.</u> |           |                 |

## STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|
|        |          |       |

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8-11-05 Chris Scargill  
 Date Signature of Server  
Morris, Nichols, Arsht + Tunnell  
 Address of Server 1201 N. Market Street  
Wilmington, DE 19801

<sup>1</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure